

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: Deanna C. Deanes

Debtor(s).

)
) Case No. 19-22988-JAD
)
) Chapter 13
)
X Doc. # 42

ORDER OF COURT
(Check Boxes That Apply)

☒ Confirming Plan on Final Basis

☐ Chapter 13 Plan dated:

☐ Authorizing Distributions Under Plan
On Interim Basis Solely as Adequate
Protection

☒ Amended Chapter 13 dated:
12-2-2020

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. **Unique Provisions Applicable Only to This Case:** *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$1817, beginning 2/21. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least ____ months. This

statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
-
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:
-

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-
- ☒ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
➤ Lakeview Loan Servicing LLC CI #2-2
- ☐ K. Additional Terms and Conditions:
-

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: January 29, 2021


jsf
United States Bankruptcy Judge
Jeffery A. Deller

cc: All Parties in Interest to be served by Clerk

FILED
1/29/21 1:04 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Deanna C. Deanes
Debtor

Case No. 19-22988-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jan 29, 2021

User: dpas
Form ID: pdf900

Page 1 of 4
Total Noticed: 36

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 31, 2021:

Recip ID	Recipient Name and Address
db	+ Deanna C. Deanes, 613 Walnut Street, Irwin, PA 15642-3533
15128744	CREDIT FIRST NA, PO BOX 818011, CLEVELAND, OH 44181-8011
15095709	+ Credit First N A, 6275 Eastland Rd, Brookpark, OH 44142-1399
15095715	++ DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222 address filed with court:, Macys/dsnb, Po Box 8218, Mason, OH 45040
15095711	+ Debt Rec Sol, 6800 Jericho Turnpike, Syosset, NY 11791-4436
15126920	+ Lakeview Loan Servicing LLC, PO Box 840, Buffalo, NY 14240-0840
15095714	+ M & T Bank Mortgage, Po Box 900, Millsboro, DE 19966-0900
15095716	+ Midland Funding, 320 East Big Beaver, Troy, MI 48083-1238
15097448	+ Orion, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15095722	+ Trident Asset Manageme, 10375 Old Alabama Road Co, Alpharetta, GA 30022-1122

TOTAL: 10

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: kbarkley@bernsteinlaw.com	Jan 30 2021 01:43:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 30 2021 01:59:59	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15095702	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jan 30 2021 02:00:49	Capital One Bank Usa N, Po Box 30281, Salt Lake City, UT 84130-0281
15095703	+ Email/Text: GenesisFS@ebn.phinsolutions.com	Jan 30 2021 01:43:00	Cb Indigo/gf, Po Box 4499, Beaverton, OR 97076-4499
15095704	+ Email/Text: clientservices@credit-control.com	Jan 30 2021 01:42:00	Central Loan Admin & R, Po Box 77404, Ewing, NJ 08628-6404
15095705	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 30 2021 01:42:00	Comenity Bank/gnteagle, Po Box 182789, Columbus, OH 43218-2789
15095706	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 30 2021 01:42:00	Comenitybank/victoria, Po Box 182789, Columbus, OH 43218-2789
15095707	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 30 2021 01:42:00	Comenitycb/forever21, Po Box 182120, Columbus, OH 43218-2120
15095708	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 30 2021 01:42:00	Comenitycb/ulta, Po Box 182120, Columbus, OH 43218-2120
15095710	+ Email/PDF: creditonebknofications@resurgent.com	Jan 30 2021 01:59:58	Credit One Bank Na, Po Box 98872, Las Vegas, NV 89193-8872
15133027	Email/Text: bnc-quantum@quantum3group.com	Jan 30 2021 01:42:00	Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657, Kirkland, WA 98083-0657

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15095712	+ Email/PDF: pa_dc_ed@navient.com	Jan 30 2021 02:00:50	Dept Of Ed/navient, Po Box 9635, Wilkes Barre, PA 18773-9635
15131994	Email/Text: G06041@att.com	Jan 30 2021 01:43:00	Directv, LLC, by American InfoSource as agent, PO Box 5008, Carol Stream, IL 60197-5008
15103401	Email/PDF: resurgentbknotifications@resurgent.com	Jan 30 2021 02:00:00	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15095713	+ Email/PDF: resurgentbknotifications@resurgent.com	Jan 30 2021 02:00:00	Lvnv Funding Llc, Po Box 1269, Greenville, SC 29602-1269
15126947	+ Email/Text: bankruptcydpt@mcmcg.com	Jan 30 2021 01:42:00	Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011
15095717	+ Email/PDF: pa_dc_claims@navient.com	Jan 30 2021 02:01:44	Navient, Po Box 9500, Wilkes Barre, PA 18773-9500
15136185	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 30 2021 02:01:43	Orion Portfolio Services II, LLC, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15133674	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 30 2021 02:00:50	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15095718	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 30 2021 01:59:59	Portfolio Recov Assoc, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
15132426	Email/Text: bnc-quantum@quantum3group.com	Jan 30 2021 01:42:00	Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
15132425	Email/Text: bnc-quantum@quantum3group.com	Jan 30 2021 01:42:00	Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788, Kirkland, WA 98083-0788
15095719	+ Email/PDF: pa_dc_claims@navient.com	Jan 30 2021 02:00:50	Sallie Mae, Po Box 9500, Wilkes Barre, PA 18773-9500
15095720	+ Email/PDF: gecsed@recoverycorp.com	Jan 30 2021 02:00:48	Synch/care Credit, 950 Forrer Blvd, Kettering, OH 45420-1469
15095721	+ Email/PDF: gecsed@recoverycorp.com	Jan 30 2021 02:01:41	Synch/toysrus, Po Box 965005, Orlando, FL 32896-5005
15110715	+ Email/Text: wfmelectronicbankruptcyntifications@verizonwireless.com	Jan 30 2021 01:42:00	Verizon, PO Box 25505, Lehigh Valley, PA 18002-5505

TOTAL: 26

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Lakeview Loan Servicing LLC
15110694	*+	Capital One Bank Usa N, Po Box 30281, Salt Lake City, UT 84130-0281
15110716	*+	Capital One Bank Usa N, Po Box 30281, Salt Lake City, UT 84130-0281
15110695	*+	Cb Indigo/gf, Po Box 4499, Beaverton, OR 97076-4499
15110717	*+	Cb Indigo/gf, Po Box 4499, Beaverton, OR 97076-4499
15110696	*+	Central Loan Admin & R, Po Box 77404, Ewing, NJ 08628-6404
15110718	*+	Central Loan Admin & R, Po Box 77404, Ewing, NJ 08628-6404
15110697	*+	Comenity Bank/gnteagle, Po Box 182789, Columbus, OH 43218-2789
15110719	*+	Comenity Bank/gnteagle, Po Box 182789, Columbus, OH 43218-2789
15110698	*+	Comenitybank/victoria, Po Box 182789, Columbus, OH 43218-2789
15110720	*+	Comenitybank/victoria, Po Box 182789, Columbus, OH 43218-2789
15110699	*+	Comenitycb/forever21, Po Box 182120, Columbus, OH 43218-2120
15110721	*+	Comenitycb/forever21, Po Box 182120, Columbus, OH 43218-2120
15110700	*+	Comenitycb/ulta, Po Box 182120, Columbus, OH 43218-2120
15110722	*+	Comenitycb/ulta, Po Box 182120, Columbus, OH 43218-2120
15110701	*+	Credit First N A, 6275 Eastland Rd, Brookpark, OH 44142-1399

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15110723	*+	Credit First N A, 6275 Eastland Rd, Brookpark, OH 44142-1399
15110702	*+	Credit One Bank Na, Po Box 98872, Las Vegas, NV 89193-8872
15110724	*+	Credit One Bank Na, Po Box 98872, Las Vegas, NV 89193-8872
15110707	*P++	DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222, address filed with court., Macys/dsnb, Po Box 8218, Mason, OH 45040
15110729	*P++	DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222, address filed with court., Macys/dsnb, Po Box 8218, Mason, OH 45040
15110703	*+	Debt Rec Sol, 6800 Jericho Turnpike, Syosset, NY 11791-4436
15110725	*+	Debt Rec Sol, 6800 Jericho Turnpike, Syosset, NY 11791-4436
15110704	*+	Dept Of Ed/navient, Po Box 9635, Wilkes Barre, PA 18773-9635
15110726	*+	Dept Of Ed/navient, Po Box 9635, Wilkes Barre, PA 18773-9635
15110705	*+	Lvnv Funding Llc, Po Box 1269, Greenville, SC 29602-1269
15110727	*+	Lvnv Funding Llc, Po Box 1269, Greenville, SC 29602-1269
15110706	*+	M & T Bank Mortgage, Po Box 900, Millsboro, DE 19966-0900
15110728	*+	M & T Bank Mortgage, Po Box 900, Millsboro, DE 19966-0900
15110708	*+	Midland Funding, 320 East Big Beaver, Troy, MI 48083-1238
15110730	*+	Midland Funding, 320 East Big Beaver, Troy, MI 48083-1238
15110709	*+	Navient, Po Box 9500, Wilkes Barre, PA 18773-9500
15110731	*+	Navient, Po Box 9500, Wilkes Barre, PA 18773-9500
15110710	*+	Portfolio Recov Assoc, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
15110732	*+	Portfolio Recov Assoc, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
15110711	*+	Sallie Mae, Po Box 9500, Wilkes Barre, PA 18773-9500
15110733	*+	Sallie Mae, Po Box 9500, Wilkes Barre, PA 18773-9500
15110712	*+	Syncb/care Credit, 950 Forrer Blvd, Kettering, OH 45420-1469
15110734	*+	Syncb/care Credit, 950 Forrer Blvd, Kettering, OH 45420-1469
15110713	*+	Syncb/toysrus, Po Box 965005, Orlando, FL 32896-5005
15110735	*+	Syncb/toysrus, Po Box 965005, Orlando, FL 32896-5005
15110714	*+	Trident Asset Manageme, 10375 Old Alabama Road Co, Alpharetta, GA 30022-1122
15110736	*+	Trident Asset Manageme, 10375 Old Alabama Road Co, Alpharetta, GA 30022-1122
15110737	*+	Verizon, PO Box 25505, Lehigh Valley, PA 18002-5505

TOTAL: 1 Undeliverable, 43 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 31, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 29, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Lakeview Loan Servicing LLC bnicholas@kmlawgroup.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Lawrence W. Willis	on behalf of Debtor Deanna C. Deanes ecf@westernpabankruptcy.com urfreshstrrt@gmail.com;willislr88866@notify.bestcase.com

Office of the United States Trustee

District/off: 0315-2

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ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

TOTAL: 5